

Appendix D

STATE OF MICHIGAN

45TH JUDICIAL DISTRICT, COUNTY OF OAKLAND

J.P. MORGAN CHASE BANK NA,

Plaintiff,

V

District No. 22-00061GC

KATRINA BERGUNDER,

Defendant.

BENCH TRIAL

BEFORE THE HONORABLE MICHELLE FRIEDMAN APPEL, (P32709)
13600 OAK PARK BOULEVARD, OAK PARK, MICHIGAN 48237
On Tuesday, February 21, 2023

APPEARANCES:

For the Plaintiff: MR. JAMES MCARDLE (P82443)
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Appearing in Pro Per: MS. KATRINA BERGUNDER
24674 Republic Avenue
Oak Park, Michigan 48237

TRANSCRIBED BY: Ms. Kassandra Ginn, CER 8822
Certified Electronic Recorder
(248) 691-7442

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WITNESSES: PLAINTIFF

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None

WITNESSES: DEFENDANT

None

EXHIBITS:

MARKED

ADMITTED

None

1 Oak Park, Michigan

2 Tuesday, February 21, 2023 - 10:17 a.m.

3 - - -

4 THE COURT: Calling 22-00061GC, J.P. Morgan vs.
5 Katrina Bergunder. Appearance on behalf of the Plaintiff.

6 MR. MCARDLE: Good morning, Your Honor. Jim McArdle
7 appearing on behalf of J.P. Morgan Chase.

8 THE COURT: Okay. And your name, please?

9 MS. BERGUNDER: Good morning, Your Honor. I'm
10 Katrina Bergunder, the defendant in this case, and I am
11 representing myself today.

12 THE COURT: So it's my understanding you sent in an
13 order dismissing the case, but it wasn't stipulated to.

14 MR. MCARDLE: Correct, Your Honor.

15 THE COURT: So I assume that you have no objection
16 to this case being dismissed?

17 MS. BERGUNDER: Um, I do, Your Honor. I, I -- they
18 want to dismiss it without prejudice, and, um, as we have made
19 it all the way to the trial date.

20 THE COURT: I agree. I mean today are you ready to
21 proceed today, Counsel?

22 MR. MCARDLE: I am not, Your Honor. Um, I -- as
23 Your Honor is well aware there is difficulty in getting
24 certain evidence. I finally convinced my client to dismiss
25 this. The difficulty I have, Your Honor, is that my authority

1 extends to dismissing without prejudice where there is
2 bankruptcy discharge, where there is a death, where there is a
3 satisfaction in full.

4 THE COURT: Okay. So that's your position. I
5 understand that, but today is the date and time set for trial.
6 Plaintiff is unable to proceed. Case dismissed with
7 prejudice. Thank you.

8 MR. MCARDLE: Thank you, Judge.

9 MS. BERGUNDER: Thank you, Your Honor.

10 (At 10:18 a.m., proceedings concluded)

1 STATE OF MICHIGAN)

2 COUNTY OF OAKLAND)

3 I, Kassandra Ginn, certify that this transcript, consisting of
4 5 pages, held on Tuesday, February 21, 2023, before the HONORABLE
5 MICHELLE FRIEDMAN APPEL, Chief Judge at the 45th District Court,
6 located at 13600 Oak Park Boulevard, Oak Park, Michigan, 48237, is
7 a complete, true, and correct transcript of the electronic
8 recordings.

9
10
11 7/16/24

12 Date

Kassandra Ginn

Kassandra Ginn, CER 8822

45th District Court

13600 Oak Park Boulevard

Oak Park, Michigan 48237

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